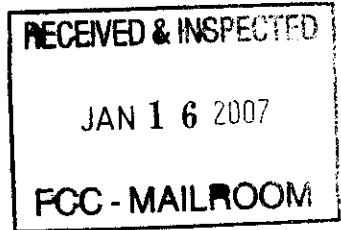


Nathaniel Hawthorne
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27600 Chagrin Blvd., Ste. 265
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efax: 216.472.8184

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Express Mail EQ 469096211 US

Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of the)	File No. SLD -
)	
Appeal of the Decision of the)	
)	
Universal Service Administrator by)	
the)	
)	
Greater Johnston AVTS)	
)	
)	
)	CC Docket No. 96 - 45
Federal-State Joint Board on)	
Universal Service)	
Changes to the Board of Directors of)	
The National Exchange Carrier)	
Association, Inc.)	CC Docket No. 97 - 21

Appeal
and
Request for Expedited Relief
Greater Johnston AVTS

January 12, 2007

Marlene H. Dortch
Office of the Secretary
Federal Communications Commission
445 12th Street, S.W. Suite TW-A325
Washington, D.C. 20554

This is an appeal from a decision by the Schools and Libraries Division of the USAC.

13. of Copies rec'd 0
List A B C D E

Enclosed are the original and four copies of the Appeal. An extra copy is also enclosed.
Please time stamp the extra copy and return it to me in the enclosed self addressed-stamped envelope.

(1) **Funding Commitment Decision Letter Appealed**

Form 471 Application Number:	533504
Funding Year 9:	07/01/2006-06/30/2007
Billed Entity Number for district:	17304
Date of Funding Denial Notice:	November 14, 2006
Date of Appeal:	January 12, 2007

(2) **SLD Contact Information**

Linda Alexander
Greater Johnston AVTS
27600 Chagrin Blvd., 260
Cleveland Ohio 44122
Tel. (216)682.0169
Fax. (216)514.3337

(3) **Funding Request Numbers Appealed**

FRNs:1474703

(4) **SLD's Reason for Funding Denial**

The SLD stated that funding is denied because:

“Applicant has not provided sufficient documentation to determine eligibility of this item.”

(5) **The SLD improperly denied Greater Johnston AVTS 's request**

Attachment A is the SLD's request sent to Greater Johnston AVTS.

Attachment B is Greater Johnston AVTS responds to the SLD's request.

Attachment C is a response sent to the SLD on October 12, 2006 for Application 533816. The SLD asked the same question for both Application 533504 and Application 5335816. The SLD funded Application 533816 but not Application 533504.

Conclusion:

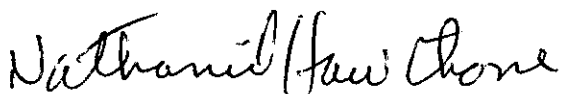
Greater Johnston AVTS is Requesting the Following Action by the FCC:

(a) Within 30 days or less Order funding for the telecommunications services requested in the 471 Application, specifically FRN:

1474703, and

(b) Set aside funds to totally fund Greater Johnston AVTS 's request.

Respectfully submitted,



Nathaniel Hawthorne

District of Columbia Bar No. : 237693
27600 Chagrin Blvd., Ste. 265
Cleveland, OH 44122
tel.: 216/514.4798
e-mail: nhawthorne@earthlink.net

Attorney for
Greater Johnston AVTS
Cc: Greater Johnston AVTS

Attachment A



Date: October 3, 2006

Ralph Fetzer
GREATER JOHNSTOWN AVTS
Contact Phone: 814-266-6073
Application Number: 533504

Response Due Date: *October 18, 2006*

We are in the process of reviewing all Funding Year 2006 Form 471 applications for schools and libraries discounts to ensure that they are in compliance with the rules of the Universal Service program. I am currently in the process of reviewing your Funding Year 2006 Form 471 Application. To complete my review I need some additional information. The information needed to complete the PIA Review is listed below.

Notification of Possible Errors:

The following items on your Form 471 may contain errors, but we were unable to detect them during our review process:

- Block 1 - Billed Entity Name, Billed Entity Number or Billed Entity contact information.
- Block 4 - Discount calculation worksheets
- Block 5 - Service Provider Identification Number (SPIN) or service provider name (if the change is a corrective rather than operational change)
- Block 5 - Contract number
- Block 5 - Billing account number
- Block 5 - Funds requested in an FRN
- Block 5 - Entity(ies)/Worksheet cited in an FRN
- Block 6 - Amount budgeted for ineligible services

If you detect any errors in these items, you can make corrections during the next 15 days. To request a correction, make a copy of your Form 471 and draw a line through each incorrect item and mark clearly next to it the corrected information.

It is your responsibility to review your Form 471 application and provide corrections to us. All corrections should be submitted to me by fax or email.

A WRITTEN RESPONSE IS NEEDED WITH OR WITHOUT ANY CORRECTIONS.

Additional Questions:

For **FRN 1474703**, you requested a \$4,283.00 one-time charge for the purchase of one server. Please see below for needed information:

The documentation provided in the Item 21 Attachments was not sufficient to determine the eligibility of your request(s).

- 1. Please provide a description that indicates the uses for the requested server(s), including the make and model number if this information has not already been supplied.**
- 2. Please indicate whether the servers will be used in whole or in part for any ineligible purposes**, including the following ineligible purposes: Application Server (e.g., providing application software to end users), Database Server, Data Warehouse Server (including storage of non-email end user files), and Archive Server. For any ineligible purposes, you may provide a cost allocation so that funding is only requested for the eligible portion.

Please fax or email the requested information to my attention. If you have any questions, please feel free to contact me.

It is important that we receive all of the information requested **within 15 calendar days** so we can complete our review. **Failure to do so may result in a reduction or denial of funding. If you need additional time to prepare your response, please let me know as soon as possible.**

Please advise me if the Contact Person on the application(s) has changed from that on the original application. This change must include the Form 471 application number(s) and be signed by the original application's Contact Person, the original application's Authorized Person or a school official (with name and title provided).

Should you wish to cancel your Form 471 application(s), or any of your individual funding requests, please clearly indicate in your response that it is your intention to cancel an application or funding request(s). Include in any cancellation request the Form 471 application number(s) and/or funding request number(s), and the complete name, title and signature of the authorized individual.

Thank you for your cooperation and continued support of the Universal Service Program.

Sincerely,

Kevin T. Conroy
Schools and Libraries Division
Program Integrity Assurance
Phone: 973-581-7519
FAX: 973-599-6523
E-Mail: kconroy@sl.universalservice.org

Attachment B

[Greater Johnstown AVTS Letterhead]

October 12, 2006

Mr. Kevin T. Conroy
Schools and Libraries Division
Program Integrity Assurance
Phone: 973-581-7519
FAX: 973-599-6523

RE: Greater Johnstown AVTS - Application Number: 533504

Dear Kevin:

Per your request the following is the response to your questions regarding Greater Johnstown AVTS Year 9 (2006) FCC Form 471 Application Number 533504.

SLD REQUEST

Notification of Possible Errors:

The following items on your Form 471 may contain errors, but we were unable to detect them during our review process:

Block 1 - Billed Entity Name, Billed Entity Number or Billed Entity contact information.

Block 4 - Discount calculation worksheets

Block 5 - Service Provider Identification Number (SPIN) or service provider name (if the change is a corrective rather than operational change)

Block 5 - Contract number

Block 5 - Billing account number

Block 5 - Funds requested in an FRN

Block 5 - Entity(ies)/Worksheet cited in an FRN

Block 6 - Amount budgeted for ineligible services

If you detect any errors in these items, you can make corrections during the next 15 days. To request a correction, make a copy of your Form 471 and draw a line through each incorrect item and mark clearly next to it the corrected information.

A WRITTEN RESPONSE IS NEEDED WITH OR WITHOUT ANY CORRECTIONS.

RESPONSE

Block 1 - Contact Information is being corrected as follows:

Name - Linda Alexander

Address - Ste 260-27600 Chagrin Blvd, Cleveland, OH 44122

Telephone # - 216-682-0169

Fax # - 216-514-3337

Email - lalexander000@ameritech.net

Also attached is a copy of the 471 application with the changes.

SLD REQUEST

For FRN 1474703, you requested a \$4,283.00 one-time charge for the purchase of one server.

Please see below for needed information:

The documentation provided in the Item 21 Attachments was not sufficient to determine the eligibility of your request(s).

- 1. Please provide a description that indicates the uses for the requested server(s), including the make and model number if this information has not already been supplied.*
- 2. Please indicate whether the servers will be used in whole or in part for any ineligible purposes, including the following ineligible purposes: Application Server (e.g., providing application software to end users), Database Server, Data Warehouse Server (including storage of non-email end user files), and Archive Server. For any ineligible purposes, you may provide a cost allocation so that funding is only requested for the eligible portion.*

RESPONSE

1. The make and model of server is HP ML110 G2 8/3.2 256MB SATA NHP

Mfg#: CPR382050-001.

2. The server will be used for DNS, DHCP and e-mail. The server will not be used for any ineligible purposes.

Sincerely,

Ralph Fetzer
Greater Johnstown AVTS

FCC Form 471

Do not write in this area.

Approval by OMB
3060-0806

**Schools and Libraries Universal Service
Description of Services Ordered and Certification Form 471**

Estimated Average Burden Hours per Response: 4 hours

This form asks schools and libraries to list the eligible telecommunications-related services they have ordered and estimate the annual charges for them so that the Fund Administrator can set aside sufficient support to reimburse providers for services.

Please read instructions before beginning this application. (You can also file online at www.sl.universalservice.org.)
The instructions include information on the deadlines for filing this application.

Applicant's Form Identifier

(Create your own code to identify THIS form 471)

2006 Form 471B

Form 471 Application#

(To be assigned by administrator)

533504

Block 1: Billed Entity Information (The "Billed Entity" is the entity paying the bills for the service listed on this form.)

1 a Name of Billed Entity GREATER JOHNSTOWN AVTS

2 a Funding Year: July 1, 2006 Through June 30: 2007 Billed Entity Number: 17304

4 a Street Address, P.O. Box, or Routing Number 445 SCHOOLHOUSE RD

City JOHNSTOWN

State PA

Zip Code 15904 2927

b Telephone Number 814-266-6073

c Fax Number 814-269-4044

- 5 a Type of Application
- ☒ Individual School (individual public or non-public school)
- ☐ School District (LEA; public or non-public [e.g. diocesan] local district representing multiple schools)
- ☐ Library (including library system, library outlet/branch or library consortium as defined under LSTA)
- ☐ Consortium ☐ Check here if any members of this consortium are ineligible or non-governmental entities

6 Contact Person's Name ~~Reina Feltzer~~ Linda Alexander

First, if the Contact Person's Street Address is the same as in Item 4, check this box. If not, please complete the entries for the Street Address below.

b Street Address, P.O. Box, or Routing Number ~~445 SCHOOLHOUSE RD~~ Ste 260- 27600 Chagrin Blvd.City ~~JOHNSTOWN~~ ClevelandState ~~PA~~ OHZip Code ~~15904 2927~~ 44122-4449c Telephone Number ~~814-266-6073~~ 216-682-0169 ☒ d Fax Number ~~814-269-4044~~ 216-514-3337e E-mail Address ~~RFeltzer@gjcd.tec.pa.us~~ LAlexander000@AmeriTech.netf Holiday/vacation/summer contact information ~~814-266-6073~~

Attachment C

[Greater Johnstown AVTS Letterhead]

October 12, 2006

Mr. Kevin T. Conroy
Schools and Libraries Division
Program Integrity Assurance
Phone: 973-581-7519
FAX: 973-599-6523

Dear Kevin:

RE: Greater Johnstown AVTS - Application Number: 533816

SLD REQUEST

Notification of Possible Errors:

The following items on your Form 471 may contain errors, but we were unable to detect them during our review process:

- *Block 1 - Billed Entity Name, Billed Entity Number or Billed Entity contact information.*
- *Block 4 - Discount calculation worksheets*
- *Block 5 - Service Provider Identification Number (SPIN) or service provider name (if the change is a corrective rather than operational change)*
- *Block 5 - Contract number*
- *Block 5 - Billing account number*
- *Block 5 - Funds requested in an FRN*
- *Block 5 - Entity(ies)/Worksheet cited in an FRN*
- *Block 6 - Amount budgeted for ineligible services*

If you detect any errors in these items, you can make corrections during the next 15 days. To request a correction, make a copy of your Form 471 and draw a line through each incorrect item and mark clearly next to it the corrected information.

It is your responsibility to review your Form 471 application and provide corrections to us. All corrections should be submitted to me by fax or email.

A WRITTEN RESPONSE IS NEEDED WITH OR WITHOUT ANY CORRECTIONS.

RESPONSE

Block 1 - Contact Information is being corrected as follows:

Name - Linda Alexander

Address - Ste 260-27600 Chagrin Blvd, Cleveland, OH 44122

Telephone # - 216-682-0169

Fax # - 216-514-3337

Email - laalexander000@ameritech.net

Also attached is a copy of the 471 application with the changes.

SLD REQUEST

First, for FRN 1475628, you requested 974.77/mo. for the purchase of 5 switches. Please provide the Make/Models for ALL FIVE SWITCHES.

Second, for FRN 1475628, we have not received the replacement Service Provider Identification Number ("SPIN") for temporary SPIN 143666666. We must have a valid SPIN before a funding commitment decision letter can be issued for this FRN. Please provide signed documentation on letterhead indicating the following SPIN information: FRN(s), valid SPIN, and the service provider name. This information must match the service provider that was indicated on the Item 21 Attachments.

RESPONSE

- 1. Catalyst 2960 20PT GETH 4PT DP UPL LAN-BASE**
- 2. The SPIN Number for FRN 1475628 is 143030462 and the Service Provider is Advizex Technologies LLC**

Sincerely,

Ralph Fetzer
Greater Johnstown AVTS

FCC Form 471

Do not write in this area.

Approval by OMB
3060-0806

**Schools and Libraries Universal Service
Description of Services Ordered and Certification Form 471**

Estimated Average Burden Hours per Response: 4 hours

This form asks schools and libraries to list the eligible telecommunications-related services they have ordered and estimate the annual charges for them so that the Fund Administrator can set aside sufficient support to reimburse providers for services.

Please read instructions before beginning this application. (You can also file online at www.sl.universalservice.org.)

The instructions include information on the deadlines for filing this application.

Applicant's Form Identifier

(Create your own code to identify THIS 2006 form 471C form 471)

Form 471 Application#

(To be assigned by administrator)

533816

Block 1: Billed Entity Information (The "Billed Entity" is the entity paying the bills for the service listed on this form.)

1 a Name of Billed Entity GREATER JOHNSTOWN AVTS

2 a Funding Year: July 1, 2006 Through June 30: 2007

Billed Entity Number: 17304

4 a Street Address, P.O. Box, or Routing Number 445 SCHOOLHOUSE RD

City JOHNSTOWN

State PA

Zip Code 15904 2927

b Telephone Number 814-266-6073

c Fax Number 814-269-4044

5 a Type of Application

- ☒ Individual School (individual public or non-public school)
☐ School District (LEA; public or non-public [e.g. diocesan] local district representing multiple schools)
☐ Library (including library system, library outlet/branch or library consortium as defined under LSTA)
☐ Consortium ☐ Check here if any members of this consortium are ineligible or non-governmental entities

6 Contact Person's Name

Ralph Feltzer Linda Alexander

First, if the Contact Person's Street Address is the same as in Item 4, check this box.

If not, please complete the entries for the Street Address below.

b Street Address, P.O. Box, or Routing Number

445 SCHOOLHOUSE RD Ste 260-27600 Chagrin Blvd

City JOHNSTOWN

Cleveland

State PA

OH

Zip Code 15904 2927

44122-4449

☐ **c** Telephone Number

814-266-6078 216-682-0169

☒ **d** Fax Number

814-269-4044 216-574-3337

☒ **e** E-mail Address

RFeltzer@JohnstonPA.org LAlexander000@AmeriTech.net

f

Holiday/vacation/summer contact information 814-266-6073

Page 1 of 7



0 4 7 0 0 1 0 1 0

FCC Form 471 - November 2004

Entity Number

17304

Applicant's Form Identifier

2006 form 471C